

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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| VIRTAMOVE, CORP., Plaintiff, v. HEWLETT PACKARD ENTERPRISE COMPANY, Defendant. | Case No. 2:24-cv-00093-JRG (Lead Case) JURY TRIAL DEMANDED |
| VIRTAMOVE, CORP., Plaintiff, v. INTERNATIONAL BUSINESS MACHINES CORP., Defendant. | Case No. 2:24-CV-00064-JRG (Member Case) JURY TRIAL DEMANDED |

**DECLARATION OF CHRISTIAN CONKLE IN SUPPORT OF PLAINTIFF
VIRTAMOVE, CORP.'S RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Christian Conkle, declare and state as follows:

1. I am a member of the State Bar of California and an attorney at the firm of Russ August & Kabat, and one of the attorneys for Plaintiff VirtaMove, Corp. in the above-captioned action. I submit this declaration in support of Plaintiff's Responsive Claim Construction Brief. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of excerpts from Dr. Angelos Stavrou's February 7, 2025, Deposition Transcript.

3. Attached as Exhibit B is a true and correct copy of an excerpt from IBM's Preliminary Infringement Contentions chart for U.S. Patent No. 8,943,500.

4. Attached as Exhibit C is a true and correct copy of NIST Special Publication 800-145, "The NIST Definition of Cloud Computing," which I downloaded from NIST's website <https://nvlpubs.nist.gov/nistpubs/Legacy/SP/nistspecialpublication800-145.pdf>.

5. Attached as Exhibit D is a true and correct copy of IBM Technical Support Organization Publication SG24-8324-00, "Creating IBM z/OS Cloud Services," which I downloaded from IBM's website at <https://www.redbooks.ibm.com/redbooks/pdfs/sg248324.pdf>.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on March 7, 2025 in Los Angeles, California.

/s/ Christian W. Conkle
Christian W. Conkle